

06.08.2025
Item No.9
Ct. No.35
dc.

W.P.A. 16634 of 2025

Jatan Ghosh & Anr.
versus
The State of West Bengal & Ors.

Mr. Kanai Lal Mondal ... For the Petitioners.

Mr. Suman Ghosh,
Mr. Ram Chandra Guchhait ... For the State.

Ms. Marie Kundu ... For the Respondent Nos. 8 to 11.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioners are aggrieved by the fact that in spite of informing the police authorities regarding acts of forgery and/or manufacturing of documents, no steps have been taken by the police authorities.

Learned advocate appearing for the private respondent nos. 8 to 11 denies the accusations made in the writ petition and submits that a civil dispute has been given the colour of a criminal offence which has no foundation in law as the respondents are also entitled to the property.

State has submitted a report which reflects that petitioners and private respondents have inherited the property from one Satyabala Ghosh and are contesting against each other for the share of the property.

Be that as it may, having regard to the fact that there is a family feud existing, police

authorities are not in a position to take steps. If there are materials in possession of the petitioners, *prima facie*, to establish that any document has been forged on the basis of which ownership is claimed, petitioners will approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate will assess and ascertain regarding the genuinity of such accusations and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations, the writ petition being WPA 16634 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)